IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION.

NOTICE OF MOTION No.456/2004.
IN
INCOME TAX APPEAL (LODGING) No.166/2004.

The Commissioner of Income Tax,
Mumbai City-12, Mumbai. ..Appellant.

Vs.

M/s. Shanti Star Builders. Respondent.

Mr A. S. Rao, for the Appellant.

Mr Nishant Thakkar i/b Mr Mahenov Ilavia for
the Respondent.

CORAM:DR.S. RADHAKRISHNAN
AND V.C. DAGA,JJ.
DATED:17th April, 2007.

P.C.:-

1. Heard the learned counsel for the appellant and the learned counsel for the respondent.

2. Perused affidavit in support of the Notice of Motion seeking condonation of 7 days delay. Sufficient cause is made out for condoning delay in filing the above appeal. There is no case of inaction, negligence or want of bona fide on the part of the appellant. Hence, the notice of motion is made absolute in terms of prayer clause (a).

(V.C. DAGA,J.) **(DR.S. RADHAKRISHNAN,J.)**